

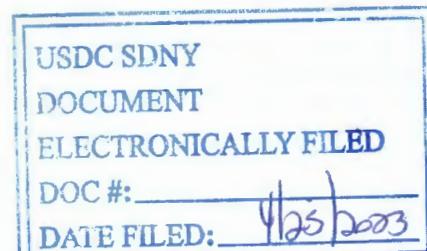
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VIA ECF

April 24, 2023

Honorable Colleen McMahon  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2550  
New York, New York 10007



MEMO ENDORSED

Re: United States v. Michael Palleschi, et al., No. 21-cr-454 (CM)

Dear Judge McMahon:

I represent the defendant, Michael Palleschi, with respect to the captioned matter and request a 30-day extension of the pretrial motion schedule.

There is a pending New York State case against Mr. Palleschi and co-defendant, David Lethem, (the "State case") that was filed on the same day as the instant matter and also involves allegations relating to the finances of FTE Networks Inc. The New York County District Attorney just recently turned over almost thirty-thousand (30,000) documents (in addition to the same 660,000 produced in this matter by the Government). In addition, the New York District Attorney disclosed that Mr. Lethem pled guilty and entered into a cooperation agreement with the New York County District Attorney's Office.

Based upon the foregoing, Mr. Palleschi requests a 30-day extension to review the additional documents and assess whether any additional legal issues should be asserted in pre-trial motions. Please note that the requested extensions would not impact the scheduled trial date the Court previously set for October 2, 2023. In addition, the Government and Anthony Sirota's counsel do not object to the request.<sup>1</sup>

This is the Third request for an extension of the pre-trial motion schedule.

The First Request for a 60-day extension was granted on December 27, 2022 (defendants' pre-trial motions were due on March 14, 2023; Government's responses were due on April 4, 2023; and defendants' replies were due on April 11, 2023).

<sup>1</sup> David Lethem's counsel did not respond to an email request with respect to the instant application as of this filing.

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The Second Request for a 45-day extension was granted on March 9, 2023 and set the pre-trial motion schedule as follows: defendants' pre-trial motions due on April 28, 2023; Government responses due on May 19, 2023; and defendants' replies due on May 26, 2023.

Wherefore, the defendant, Michael Palleschi, respectfully request that the pretrial motion schedule be set as follows:

Deadline for Defendants' Pretrial Motions: May 26, 2023

Deadline for Government's Responses: June 16, 2023

Deadline for Defendants' Replies: June 23, 2023

Thank you for your consideration in this matter.

Sincerely,

Thomas A. Harvey  
*Counsel for Michael Palleschi*

cc: All Counsel of Record (*via* ECF)

SO ORDERED:

Dated: New York, New York  
April 25<sup>th</sup>, 2023

  
COLLEEN MCMAHON U.S.D.J.